



October 25, 2001

Ms. Gwen Massenburg
Remedial Project Manager
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, IL 60604

Subject: Statement of Work for PRP-conducted RI/FS
Chemical Recovery Systems, Inc
Elyria, Lorain County, Ohio
TDD Number: S05-0108-034

Dear Ms. Massenburg:

T N & Associates, Inc. (TN&A), has reviewed the proposed statement of work for Chemical Recovery Systems, Inc. (CRS), submitted by the potentially responsible parties (PRPs). Our comments are provided in Attachment A.

Should you have any questions or comments, please contact me at 312/220-7000.

Sincerely,

Raghu Nagam
Project Manager

Attachment A - Comments on the Proposed Statement of Work for PRP-conducted RI/FS

Attachment A

**COMMENTS ON THE PROPOSED STATEMENT OF WORK
FOR
PRP-CONDUCTED RI/FS**

CHEMICAL RECOVERY SYSTEMS, INC.

**ELYRIA, LORAIN COUNTY, OHIO
TDD NO. S05-0108-034**

Prepared by:

**T N and Associates, Inc.
100 West Monroe, Ste #913
Chicago, IL**

Prepared for:

**U.S. Environmental Protection Agency
Region V
Chicago, IL**

General Comments:

1. The Proposed Statement of Work (PSOW) elements prepared by the potentially responsible parties (PRPs) do not include injury determination and evaluation of natural resources (NR) damages.
2. The PSOW does not include the treatability study option citing available site information. A complete characterization of site wastes has yet to occur and hence ruling out performing a treatability study would be premature at this time.
3. The PSOW deleted all references to Ohio Environmental Protection Agency (Ohio EPA) with respect to their review and approval of site documents and plans. Ohio EPA's concurrence is essential for the smooth completion of site activities, selection of ARARs, waivers, etc., as well as implementation of selected remedies.

Specific Comments:

1. Page 1, 1st paragraph.
Initial sampling is necessary to establish or rule out injury determination and NR damage due to site contaminants.
2. Page 1, 1st paragraph, last sentence. "The RI and FS are interactive andthe remedial alternative chosen."
In this sentence, "the remedial alternative chosen" replaced "treatability studies". The site waste has not been completely characterized. Since existing site and/or treatment data is insufficient to adequately evaluate alternatives, treatability studies may be necessary to evaluate a particular technology on site specific wastes.
3. Page 1, 3rd paragraph, 2nd sentence. "U.S. EPA in consultation with Ohio EPA and the Respondents will select the site remedy....."
The original SOW given by U.S. EPA states that U.S. EPA in consultation with Ohio EPA will be responsible for the selection of a site remedy.
4. Page 1, 3rd paragraph, 3rd sentence. "The remedial action alternative selected by U.S. EPA will meet the cleanup standards specified in CERCLA Section 121."
A complete paragraph followed by this sentence is missing in the PSOW when compared to the original SOW.
5. Page 1, last paragraph. The following sentence from the original SOW is missing.
"Oversight activities will be coordinated between U.S. EPA, Ohio EPA, and other agencies."
6. Page 3, 2nd paragraph, preliminary remediation objectives.
The verbatim of the original SOW should be retained here. The preliminary remediation objectives are dictated by U.S. EPA based on their initial knowledge of the site and available analytical data.
Missing: "Mitigation or abatement of other situations or factors that may pose threats to public health, welfare, or the environment."
7. Page 3, last paragraph, bulleted item b.
 1. bulleted item (b) should not replace the original SOW bulleted item b ("Perform a feasibility study...."). Without conducting a feasibility study, an RI/FS report will not address the feasibility of selected remedial alternatives.
 2. PRGs to prevent or mitigate the migration or the release or threatened release of hazardous substances, pollutants, or contaminants from the site should be included as part of the R/FS.
 3. Include sampling of locations suspected of being in the off-site migration pathway.
8. Page 4
The following sentence from the original SOW is missing. "c - Conduct removal actions to address priority areas pursuant to ..."
9. Page 4, "c - Gather sufficient data, samples, and other information (Task 3) in order..."
Missing statement on injury determination and NR damage. See original SOW.

10. Page 4, “f- Gather sufficient data, samples, andin order to perform a human health and ecological risk assessment(s) for the site.”
Missing the injury determination and NR damage statement given in the original SOW.
11. Page 5, a. Site Background, 3rd paragraph, 1st sentence. “Before planning RI/FS activities, all existing site data inwill be thoroughly reviewed by the Respondents.”
The data should be thoroughly compiled and reviewed by the Respondents.
A historical data table with approximate sample locations, concentrations, and preliminary remediation concentrations for constituents of concern should be prepared.
12. Page 5, last paragraph, last sentence. “U.S. EPA will consult with the Respondents ...”
Original SOW states that decisions will be made by U.S. EPA.
13. Page 6, 2nd and 3rd paragraphs.
These paragraphs should be followed by another paragraph on the need for treatability studies (given in original SOW). A need for conducting treatability studies can only be evaluated after characterizing site wastes and identifying remedial alternatives. Ruling out any treatability study will hamper the successful evaluation of a remedial alternative.
14. Page 7, RI/FS Work Plan
Missing reference to NR and the coordination with treatability study requirements.
15. Page 8, 1st complete paragraph
Missing a statement on Respondents responsibility on fulfilling additional data and analysis needs identified by U.S. EPA as given in the original SOW.
16. Page 9, 2nd complete paragraph. “If a laboratory not in the Contract Laboratory Program is selected”
Should retain the original SOW verbatim “methods consistent with CLP ...”
17. Page 9, 2nd complete paragraph, last sentence. “Upon request by U.S. EPA, Respondents will allow the U.S. EPA or its authorized”
Please add the following:
 1. U.S. EPA, in case the Respondents decline to, will also collect and analyze samples independent of the sampling and analysis plan based on historical site operations or other such information available to U.S.EPA. U.S. EPA will allow Respondents to take split and/or duplicate samples collected by U.S. EA or its authorized representative.
 2. U.S. EPA may collect pre- and post-remediation samples, if deemed necessary.
18. Page 10, 1st complete paragraph
As stated in the original SOW, the following statement is missing: “The safety plan must, at a minimum, follow U.S. EPA’s guidance document Standard Operating Safety Guides, Publication 9285.103, PB92 963414, June 1992.”
19. Page 10, TASK 2 - COMMUNITY RELATIONS, 3rd sentence. “Although implementation of the community relations plan is the responsibility of U.S. EPA, the Respondents may assist, making submissions to the Administrative Record, ...”
Submission to the Administrative Record can be made only by U.S. EPA.

20. Page 10, TASK 2 - COMMUNITY RELATIONS, 4th sentence. "Respondents will prepare baseline human health and ecological risk assessment memoranda ..."
Original SOW verbiage "Respondents and/or U.S. EPA will prepare two or more baseline human health and ecological risk assessment memoranda ..." should be retained here.
21. Page 10, TASK 2- COMMUNITY RELATIONS
The following statement is missing from the original SOW: "All PRP conducted community relation activities will be subject to oversight by U.S. EPA".
22. Page 10, TASK 3 - SITE CHARACTERIZATION
The following 2nd sentence should be retained from the original SOW,. "The RI conducted by Respondents will include an investigation which focuses on the segment of the East Branch of the Black River adjacent to Chemical Recovery Systems, Inc."
23. Page 10, TASK 3 - SITE CHARACTERIZATION, 5th sentence. "The Respondents will identify the sources of constituents of concern and define...."
The word "contamination" was replaced from the original SOW by "constituents of concern."
24. Page 11, a. Field Investigations, 1st sentence. "The field investigation includes the gathering of data to define site physical characteristics ..."
Missing "... and biological characteristics" verbiage of the original SOW. Biological characteristics would help determine natural degradation/attenuation activity at the site.
25. Page 12, Define Sources of Contamination
Sampling should be based on a sampling design such as a sampling grid, etc., which would provide a certain degree of confidence in finding a source/hot spot.
26. Page 12, Define Sources of Contamination, 2nd paragraph, 1st sentence. "Identifying the source of contamination"
The word "Defining" from the original SOW was replaced here by "Identifying"
27. Page 14, d. Site Characterization Deliverables, Preliminary Site Characterization Summary
 1. A Site Sample Location Map should be prepared showing sample locations and depths.
 2. A Site Contamination Map showing areas where contamination above preliminary remediation goal concentrations was observed should be prepared.
28. Page 15, TREATABILITY STUDIES, 1st paragraph, 1st sentence. "Based on the .."
Treatability studies will be required when remedial actions involving treatment are considered. There is no basis for ruling out treatability studies when we do not even know the nature of contamination and have not considered a set of remedial alternatives.
29. Page 15, TASK 5 - a. Development and Screening of Remedial Alternatives
All references to NR are missing here.
30. Page 16, TASK 5 - Identify, screen, and document remedial technologies
Presumptive remedies should be included and evaluated whenever they are applicable to site wastes.

31. Page 18, TASK 6 - Compare alternatives against each other and document the comparison of alternatives, 3rd sentence. "Identification and selection of the preferred alternative will be made by U.S. EPA in consultation with the Respondents."

The original SOW states that U.S. EPA will select the preferred alternative.

32. Page 19, TASK 5, Remedial investigation and feasibility study report.

As included in the original SOW, the following statement is missing: "The Respondents must refer to the RI/FS Guidance for an outline of the report format and the required report content"

Also, all RI/FS activities, report preparation and report format should be in accordance with the RI/FS guidance document ("Guidance for Conducting Remedial Investigations and Feasibility Studies Under CERCLA" U.S. EPA, Office of Emergency and Remedial Response, October 1988, OSWER Directive No. 9355.3-01).